

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE INTEL CORP.
MICROPROCESSOR ANTITRUST
LITIGATION

MDL No. 05-1717-JJF

PHIL PAUL, on behalf of himself and all
others similarly situated,

C.A. No. 05-485-JJF

Plaintiffs,

CONSOLIDATED ACTION

v.

INTEL CORPORATION,

Defendant.

**MOTION OF DEFENDANT INTEL CORPORATION TO DISMISS
THE FIRST AMENDED CONSOLIDATED COMPLAINT**

Defendant Intel Corporation respectfully files this motion to dismiss the First Amended Consolidated Complaint for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). In support of this motion, Intel relies upon the accompanying memorandum of law and supporting appendices.

Certification Pursuant to Local Rule 7.1.1. Intel certifies that its counsel has contacted counsel for Class Plaintiffs about the attached motion and that Class Plaintiffs are opposed to the relief sought in the motion.

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Dated: November 3, 2006

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CERTIFICATE OF SERVICE

I, Richard L. Horwitz, hereby certify that on November 3, 2006, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing(s) to the following and the document is available for viewing and downloading from CM/ECF:

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